



Zoning Bylaw Working Group

Date: January 19, 2022
Time: 8:30 AM to 10:00 AM
Location: Conducted via remote participation;
register or call in using the information below

Attendees: Stephen Revilak, Christian Klein, Ralph Willmer, Pamela Heidell, Eugene Benson, Jon Worden, Michael Ciampa, Charlie Kalaskas, Jennifer Raitt, Kelly Lynema
Guests: Don Seltzer

DRAFT Minutes

1. Discussion of ARB Draft Warrant Articles for 2022 Annual Town Meeting

Jenny presented the draft warrant articles from the Arlington Redevelopment Board. The first is responsive to concerns raised by the ARB regarding banks, mixed use buildings, and other smaller projects. There has been concern about ground floor space that does not have more active uses. The bylaw amendment proposes to require more active uses and limit the amount of space at the ground floor that creates “dead” spaces. Many other communities have adopted these types of amendments, typically in more vibrant commercial districts.

The second amendment addresses street trees. It picks up on a typical request from the ARB requiring street trees and plantings spaced 25 feet apart (per DPW recommendations) more significant redevelopment projects. The amendment would be inserted into the bylaw as a requirement rather than a recommendation.

The solar energy systems amendment is regarding the ARB’s expressed interest in requiring solar ready elements in projects. There is not presently a requirement in the Zoning Bylaw. Environmental Design Review currently requires something like LEED, which is more expansive. This amendment addresses solar alone and would incorporate a set of definitions and amend site development standards. The draft amendment refers to new buildings, but there is conversation about changing this to redeveloped properties as well.

The three articles above will be discussed by the ARB on Monday, January 24.

Discussion:

Christian asked about the Working Group’s discussion on an amendment for large additions. After discussion, it was decided that Christian will share the proposed amendment with Jenny for inclusion in the ARB’s proposed

amendments. Christian is separately vetting an amendment regarding walls with Gene and Steve.

Steve asked whether the business district amendment would set a metric regarding a percentage of an entire parcel or just the frontage of a property. Jenny clarified that it would address the frontage facing a major street. Steve wondered about whether such an amendment would make areas of Mass Ave nonconforming as a result, e.g., the area around the high school where there are several banks in a row. Jenny said no.

Ralph asked if the Town has a list of approved street trees that could thrive in an urban environment. He said some towns have developed these types of lists. Jenny responded that the Tree Committee has developed a tree management plan with DPW, which includes general suggestions about tree selections. This would be developed in consultation with the Tree Committee and the Tree Warden.

Gene asked about whether the article regarding enhanced business districts amendment should amend Section 5 (District Regulations) instead of amending Environmental Design Review (EDR). Jenny noted that Section 5 is where we typically have these types of requirements. The article wouldn't amend EDR because the ARB sees a range of projects, not just the types of projects related to the proposed amendment. Gene said he was trying to weigh which is a better place to put the amendment. Jenny noted that there are other instances in the Zoning Bylaw where we indicate that the ARB or ZBA has some type of discretion, including in the parking regulations. Gene agreed with adding a note to indicate this.

Gene said he will follow up with Jenny regarding the solar energy systems amendment.

Pam said that with regard to Ralph's comments on tree selection, the Conservation Commission is revising its regulations and has a section about vegetation replacement including trees in wetland areas. Their conversation has been extended because not all trees are created equal, and they are trying to define which species have the most ecological value. Pam recommended asking David Morgan, the Town's Conservation Agent, for his input.

2. Continuation of Zoning Audit, Zoning Bylaw Review, and Recommendations Discussion

Regarding any other homework, Gene and Mike have been corresponding regarding the issue of foundations, which they and Christian feel has been improved over the prior version reviewed by the Working Group. As warrant article submissions are due next Friday (1/28), they are considering submitting this as a citizen petition. Jenny agreed with this suggestion based on timing and added that they may wish to share the proposal with other ZBA members.

Pam informed the Conservation Commission that she was preparing a memo regarding resilience review. Steve Revilak and Nathaniel Stevens are providing comments, and David Morgan will be weighing in as well. Any proposed amendments related to this topic would require a broader community discussion and review by this working group.

3. Review and approve minutes from December 1, 2021 and January 5, 2022

On the minutes from December 1, Steve, Pam, Jon, and Christian suggested minor revisions. Steve moved approval as amended; Gene seconded. The minutes were approved unanimously as amended.

The review of the minutes from January 5 were postponed until the February meeting.

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